

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DEANNE M. KROULIK,

Plaintiff,

v.

UNITED STATES OF AMERICA acting  
through the State Director, USDA Rural  
Development, Rural Housing Service of  
Washington; and T.D. Escrow Services, Inc.  
d.b.a. T.D. Service Company, a Washington  
Corporation,

Defendants.

Case No. C06-5388FDB

ORDER REQUIRING ADDITIONAL  
BRIEFING

Plaintiff Kroulik has moved for an order restraining Trustee's sale, and the matter has been briefed. Kroulik interprets the loan documents in this matter as requiring her to make monthly payments of \$301.24 per month, that she has overpaid and is only in arrears \$566.55.

The Government submits declarations with attachments to support its contention that Kroulik over \$10,000.00 in arrears. There is a difference of opinion in how the documents are interpreted by the parties. Exhibit C to the Cronquist Declaration is an example.

It would be helpful to the Court to have the terms explained (*e.g.* installment note rate, monthly payment, monthly payment assistance) and how they are factored together – considering


1 taxes and insurance – to get to the amount to be paid per month in order to determine any arrearage.

2 Therefore, the Court requests further briefing clarifying materials already submitted.

3 ACCORDINGLY, IT IS ORDERED:

- 4 1. The Defendants shall submit an additional brief responding to Plaintiff's Reply brief  
5 and clarifying as indicated above no later than Monday, July 31, 2006;
- 6 2. Plaintiff may file a response to Defendants' brief no later than 4:30 p.m. Tuesday,  
7 August 1, 2006. or 24 hours after the Government files its brief, whichever is earlier.

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9 DATED this 26<sup>th</sup> day of July, 2006.

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12 FRANKLIN D. BURGESS  
13 UNITED STATES DISTRICT JUDGE  
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